

RECORD OF PROCEEDINGS  
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

November 17, 2014

Held \_\_\_\_\_ 20 \_\_\_\_\_

**CALL TO ORDER**

Vice Mayor Gerber called the Monday, November 17, 2014 Regular Meeting of Dublin City Council to order at 6:15 p.m. at the Dublin Municipal Building.

**ROLL CALL**

Members present were Vice Mayor Gerber, Ms. Chinnici-Zuercher, Mr. Lecklider, Mr. Peterson and Ms. Salay. Mayor Keenan and Mr. Reiner were absent (excused). Staff members present were Ms. Grigsby, Ms. Readler, Ms. Crandall, Ms. Mumma, Mr. Foegler, Chief von Eckartsberg, Ms. Gilger, Ms. Puskarcik, Mr. Hahn, Mr. Wagner, Mr. Hammersmith, Mr. Langworthy, Ms. Bishop, Mr. Gunderman, Ms. Ray, Ms. Husak, Ms. Kennedy, Mr. Stiffler, Mr. Thurman and Mr. Kridler.

**ADJOURNMENT TO EXECUTIVE SESSION**

Vice Mayor Gerber moved to adjourn to executive session to discuss land acquisition, legal matters, and collective bargaining matters.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Vice Mayor Gerber, yes; Mr. Lecklider, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Ms. Salay, yes.

The meeting was reconvened at 7:05 p.m.

**PLEDGE OF ALLEGIANCE**

Mr. Lecklider led the Pledge of Allegiance.

**CITIZEN COMMENTS**

Kathy Tagliaferri, 7661 Fulmar Drive, Dublin inquired if the City of Dublin is contemplating taking action to prohibit the use of plastic bags by retail merchants. Many cities have done so, and the City of Columbus is considering the issue. Because of the environmental issues related to plastic bags and the fact that Dublin is a "green community," she would expect this to be of interest to the City.

Ms. Grigsby responded that although the City has not yet considered it, it is something the City can investigate. It will be necessary to obtain input from City businesses and the City of Columbus concerning their research and information on the subject.

Ms. Tagliaferri asked how she could follow up on the City's progress on the matter.

Ms. Grigsby responded that she could contact the City Manager's office for an update.

Ms. Salay stated that she believes this is a matter of interest, and the key is to have this be a central Ohio regional effort.

Ms. Chinnici-Zuercher suggested that Ms. Tagliaferri discuss this matter with MORPC Executive Director William Murdoch. MORPC has an environmental department that might be interested in pursuing the effort on a regional level. Perhaps a Council committee could study this issue.

Ms. Grigsby responded that the Community Development Committee (CDC) or the Community Services Advisory Commission would be appropriate venues for this discussion.

Ms. Chinnici-Zuercher stated that she would prefer to have this reviewed at a Council level, with the CDC inviting the appropriate staff to provide input.

Vice Mayor Gerber suggested that staff review the matter and report back. Council can then refer the matter to the appropriate committee for review.

Ms. Tagliaferri thanked Council for their consideration.

**CONSENT AGENDA**

Ms. Chinnici-Zuercher moved approval of the seven Consent Agenda items.

Mr. Lecklider seconded the motion.

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Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes.

- Approval of Minutes of Regular Council Meeting of November 3, 2014
- **Ordinance 110-14 (Introduction)**  
Accepting the Annexation of 2.7 acres, More or Less in Washington Township Franklin County to the City of Dublin. (Petitioner: Jackson B Reynolds, III agent for Petitioners The Jay W. Liggett Trust, David W. Patch, Jr., Valerie N. Finch, William S. Darling) (Second reading public hearing December 8 Council meeting)
- **Ordinance 111-14 (Introduction)**  
Amending Chapter 35 of the Codified Ordinances to Revise the Fee and Service Charge Revenue/Cost Comparison System and Establishing a Schedule of Fees and Service Charges for City of Dublin Services, and Declaring an Emergency. (Second reading/public hearing December 8 Council meeting)
- **Ordinance 112-14 (Introduction/first reading)**  
Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire 2.04 Acres, More or Less, Fee Simple Interest from Jane M. Jacobs and Thomas C. Jacobs, and Declaring an Emergency. (Second reading/public hearing December 8 Council meeting)
- **Ordinance 113-14 (Introduction/first reading)**  
Petitioning the County Commissioners of Franklin County, Ohio for Annexation of Approximately Two Acres of Land Located East of High Street, North of Dublin-Granville Road and Adjacent to the Scioto River. (Second reading/public hearing December 8 Council meeting)
- **Resolution 88-14 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the 2015 Sanitary Sewer Lining Project.
- **Resolution 89-14 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the Emerald Parkway Phase 8 Landscaping Project.

**SECOND READING/PUBLIC HEARING – ORDINANCES**

**Ordinance 107-14**

**Declaring the Improvement to Certain Parcels of Real Property to be a Public Purpose and Exempt from Taxation; Establishing a Municipal Improvement Tax Increment Equivalent Fund and Providing for the Collection and Deposit of Service Payments into that Fund; Specifying the Public Infrastructure Improvements Directly Benefiting the Parcels; and Authorizing Make-Whole Compensation Payments to the Dublin City School District and the Tolles Career and Technical Center.** (Innovation TIF)

Ms. Mumma stated that this is a request for establishment of a new tax increment financing (TIF) district, which would be located at the intersection of Innovation Drive and Emerald Parkway. As has been reported, Five Nines Digital with Expedient Data Centers, a major tenant in the building located at that corner, will be pursuing development. This will be a non-school TIF. The service payments received within this area will be designated for a number of public infrastructure improvements that are outlined within the legislation, including improvements at the intersections of Emerald Parkway and Shier Rings, Shier Rings and Wilcox Road, Shier Rings and Avery Road, Emerald Parkway and Innovation Drive, and burial of overhead utility lines. The taxes

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generated on the base valuation are still distributed to all of the entities that are recipients of property taxes.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Ms. Salay, yes.

## **Ordinance 108-14**

**Declaring the Improvement to Certain Parcels of Real Property to be a Public Purpose and Exempt from Taxation; Establishing a Municipal Improvement Tax Increment Equivalent Fund and Providing for the Collection and Deposit of Service Payments into that Fund; Specifying the Public Infrastructure Improvements Directly Benefiting the Parcels; and Authorizing Make-Whole Compensation Payments to the Jonathan Alder Local School District and the Tolles Career and Technical Center. (West Innovation TIF)**

Ms. Mumma stated that this is a request for establishment of a new tax increment financing (TIF) district on a job-ready West Innovation Drive site, which encompasses 96 acres currently owned by the City, as well as two parcels that are owned by public utilities. The service payments in these areas would be used to fund a number of improvements that were outlined in the 2015-2019 CIP – the West Innovation Infrastructure Onsite and West Innovation Infrastructure – Offsite. This is also a non-school TIF.

Vote on the Ordinance: Vice Mayor Gerber, yes; Ms. Salay, yes; Mr. Peterson, yes; Mr. Lecklider, yes; Ms. Chinnici-Zuercher, yes.

## **INTRODUCTION/FIRST READING – ORDINANCES**

### **Ordinance 114-14**

**Adopting Amendments to Sections 153.057 through 153.066 of the City of Dublin Codified Ordinances (Zoning Code) to Amend the Bridge Street District Zoning Regulations. (Case 13-095ADM) (Second reading/public hearing December 8 Council meeting)**

Mr. Lecklider introduced the ordinance.

Ms. Ray stated that this is a request for amendments to the Bridge Street District zoning regulations. The majority of the proposed amendments are technical and clerical. The original regulations for this district were adopted in spring of 2012. Since then, a couple of projects have gone through this review process, and needed clarifications and modifications have been identified.

- A new section has been added in the Site Development standards to include walkability standards to encourage pedestrian circulation and activity in the area.
- In addition to the text amendments, there is also an updated Bridge Street District street network map, which is consistent with the Thoroughfare Plan Council adopted last year in the Community Plan update.
- There is also a minor technical amendment to the Bridge Street District Sawmill Center Neighborhood District graphic to ensure that the graphic coincides with the actual zoning district boundaries.

After the Bridge Street District Code was adopted in year 2012, some cases have now gone through this review process, revealing a need for clarifications. Consequently, a comprehensive update to the Code was undertaken, beginning with amendments to the review and approval procedures. Staff has worked with the Planning and Zoning Commission, Architectural Review Board and Administrative Review Team over the past months to revise the text. At their October 29 meeting, the Commission voted to recommend Council approval of the proposed amendments with two conditions:

- 1) That the comments of the Planning and Zoning Commission be incorporated in the draft version to be reviewed by City Council; and



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- 2) That the comments of the Planning and Zoning Commission related to size-limited uses, housing diversity, structural soils and tree canopies be forwarded to City Council for future consideration as part of an additional Code amendment.

The draft Bridge Street District Code provisions have been modified since the October 29 Commission meeting to address Condition 1.

Condition 2 refers to the Planning and Zoning Commission's discussion at the October 29 meeting. The Commission discussed several topics with policy considerations for which City Council direction is requested for potential future amendments. These topics are related to Size-Limited Uses, Housing Diversity, Structural Soils, Tree Diversity and Canopies. To summarize each:

Structural Soils – relates to requirements for how street trees should be planted within the District. That item was has discussed with the Commission, so staff is able to prepare the requirement.

Street Canopies - This relate to the creation of a consistent urban tree canopy within the District. The Commission discussed this issue, and staff is also prepared to write the text.

Size-Limited Uses – The Commissioners expressed concerns with the quantity of residential units proposed in several of the first major Bridge Street District projects. They believe there is some inconsistency with the intent of establishing a diverse range of uses throughout the District.

Housing Diversity – The Commission wanted to ensure that there is a range of both rental as well as privately owned housing products.

Size-Limited Uses and Housing Diversity relate more to over-arching planning considerations and less to the proposed Zoning Code amendments. Therefore, this item will be proposed to Council for consideration in a future Zoning Code amendment.

Staff recommends approval of Ordinance 114-14 at the second reading/public hearing at the December 8 Council meeting.

Ms. Chinnici-Zuercher requested clarification on the Size-Limited Uses and Housing Diversity issues. The information in staff's memo seems inconsistent with the staff description tonight. The Commission seemed to be concerned about both the numbers of rental units and the fact that it was not a mixed-use building. Project applications to date have been for rental units only.

Ms. Ray responded that the large residential projects have been a concern. The intent is for the BSC to be a mix of uses that will ultimately allow for a reduction of vehicular trips due to the accessibility of uses by bike or foot. The apartment projects do not meet the intent for mixed uses. When the initial visioning for the BSC District was done in 2009, there was an awareness that there was a significant need for urban residential housing. However, the Commission is concerned that the projects that have been proposed are quite large. Functionally, the projects are limited by block size, parking and maximum building height requirements. Those three requirements limit the projects but they do not cap the density.

Ms. Chinnici-Zuercher inquired what project applications have been received.

Ms. Ray responded that the applications that have been reviewed by the Commission are the Edwards Dublin Village Center project, the Casto Tuller Flats project, and the Bridge Park East Project along Riverside Drive.

Ms. Chinnici-Zuercher inquired if there was mixed-use in the latter project.

Ms. Ray responded that there is a mixed-use component within it.

Ms. Chinnici-Zuercher inquired if there was also some mixed-use in the Edwards project.

Ms. Ray responded that there is an opportunity for mixed-use with that project.

Ms. Chinnici-Zuercher stated that the intent for that area was not to have just large apartment complexes. The apartment living the City wants in that area is not the type

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of apartment complexes built in the 1970-1980s. It is incumbent on staff to communicate to interested developers the desire for mixed use in interesting layouts. Council was concerned that the Casto project lacked an interesting layout on the land.

Ms. Chinnici-Zuercher requested that Ms. Ray elaborate on the Housing Diversity concern.

Ms. Ray responded that the Commission wanted to ensure that the projects were not 100 percent rental units. They wanted a mix of rental units, condominiums, and different unit sizes.

Ms. Chinnici-Zuercher stated that, according to the many experts and speakers brought in regarding Bridge Street, the current trend for young professionals and empty nesters is for smaller living spaces with opportunities for activities located within the adjacent community rather than within larger living spaces. Council had previous conversations with a couple of developers and toured rental/condo developments within the central Ohio area that they recently been built. Those developments did have the desired diversity and are different from what was built in the past. Is the issue that the developers are not recognizing the differentials in the population's interest at this time? The market dictates the need for rental or condominiums – an example of this is the Schottenstein residential development at Avery/Muirfield Roads. It was originally built as condominiums, but due to the market conditions, became apartments; more recently, it has reverted to condominiums.

Mr. Lecklider stated that what Council has been told is that lenders are reluctant to lend for condominium development at this time.

Ms. Chinnici-Zuercher stated that Council's intent with the Bridge Street Corridor was to have a review process that would require less time to complete than the City's other review processes. It does not seem that this process achieves that goal. Recently, it was necessary for Council to approve a development agreement to address some of the issues with a proposed development. It is preferable that an agreement not be necessary with all future developments, although there may be some that are necessary due to infrastructure or economic arrangements.

Ms. Chinnici-Zuercher moved to amend the BSC review process to provide for Council review of the Basic Plan Stage for both Development and Site Plans when a development agreement between the City and a developer is contemplated.

Mr. Lecklider seconded the motion.

Vote on the motion: Mr. Lecklider, yes; Mr. Peterson, yes; Ms. Salay, yes; Vice Mayor Gerber, yes; Ms. Chinnici-Zuercher, yes.

Ms. Chinnici-Zuercher moved to amend the Bridge Street District appeal process to provide for direct appeals to be made to City Council as the reviewing body for appeal determinations.

Mr. Lecklider seconded the motion.

Vote on the motion: Mr. Peterson, yes; Vice Mayor Gerber, yes; Ms. Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Lecklider, yes.

Vice Mayor Gerber asked if staff would be able to incorporate the requested amendments into the legislation for Council's consideration at the December 8 Council meeting.

Ms. Grigsby responded that there should be sufficient time for staff to make the requested changes.

Mr. Lecklider asked if additional questions and discussion regarding the ordinance would continue at this time or be deferred to the December 8 meeting

Mr. Peterson noted that he also had questions, but can defer them to the next hearing.

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Ms. Salay pointed out that if additional discussion might result in other amendments to the proposed legislation, discussion should continue at this time.

Mr. Lecklider stated that he had wanted clarification regarding signage, but he is confident he can obtain that clarification at the next meeting.

Ms. Grigsby asked him to clarify so that staff can ensure his question is fully addressed for the next meeting.

Mr. Lecklider stated that the Commission minutes reflected a concern regarding at what point a sign plan would be submitted and whether it would be presented for staff review or for Planning and Zoning Commission review. There was a reference to a master signage plan.

Ms. Salay responded that this concern was discussed when the Commission was reviewing the Crawford Hoying proposal, which will involve a number of individual businesses. There would be a need for both directional signage and signage identifying the development and the businesses. Would PZC be looking at individual businesses, or would it be better to have a master sign plan with which businesses would comply? Who will review the applications, and what would these signs ultimately look like? Although there was lengthy discussion about signage, no definitive direction was given.

Ms. Ray responded that the master plan sign process has been a part of the regulations. The Code language on that process was discussed at length by the Commission, specifically when signage plans should be required. Sign plans will be required in the high-end, mixed-use activity zone – the shopping corridor in the District. Elsewhere, new building requirements specify that locations of intended signs on buildings must be designated to avoid awkward sign locations. In regard to signage for individual building tenants, the intent is to make the process easy for a business owner to obtain approval of a sign, balancing the desire for quality and imaginative design. The proposed amendments include more construction quality and material details; however, it is difficult to codify details for innovative individual signs.

Ms. Grigsby added that staff has been working with consultants regarding wayfinding not only in the Bridge Street District, but for the overall entrance into the City. The same consultant has also been working with Crawford Hoying and the other developers involved. An attempt is being made to look at signage from both a wayfinding and informational standpoint for the Bridge Street District as well as the City in general, ensuring that parks are identified in the same manner, for example, as well as different amenities within the City. She asked Mr. Foegler about the status of this effort.

Mr. Foegler stated that in the interest of integration, Crawford Hoying retained the same consultant to develop the master signage plan. Signage will be needed for navigation to parking structures as well as for businesses. He anticipates that within the next 30-60 day timeframe, staff will begin to share some of the broader citywide components that have been reviewed. Crawford Hoying will have a more unified master signage approach for Council's consideration, as well.

Mr. Lecklider stated that with respect to wayfinding and public space spaces, he would support a higher level of regulation and consistency. Insofar as individual businesses are concerned, because Dublin is attempting to create a unique environment in this District, he would support greater creativity. Council may not be comfortable, however, giving complete discretion to individual business owners. The Commission minutes seemed to indicate that the Commission asked whether there would be some level of review, and at what stage. Will this issue come before Council at a later date?

Ms. Grigsby stated that in 30-60 days, more information regarding the status of this effort will be provided.



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Ms. Salay inquired if the sign plan would be part of the overall development now handled per the previous motion approved tonight, or would it be discussed at the Administrative Review Team level.

Vice Gerber inquired if there are any other issues that Council members want to identify now to help staff prepare for the December 8 meeting.

Ms. Salay responded that the Commission is looking for some answers in regard to the site's limited uses and housing diversity. There seems to have been Commission agreement on the structural soils issue. However, there is considerable concern regarding the number of housing units in the project applications being received. Developers are proposing a large number of apartment units. The result may be an apartment community, rather than the mixed use that the City desired.

Ms. Grigsby stated that preceding Council's goal setting for residential development, staff prepared a brief report on their studies regarding utilities and transportation. Early in the process, concern was raised regarding the number of rental units identified there. They used very conservative numbers and considered the highest level of potential development in order to ensure that the utilities and proposed roadway system would be able to handle the volume. Staff will provide a copy of that memo at the next meeting, as it addressed growth in residential units.

Mr. Lecklider stated that this area will not work with 500 units, nor with 1,500 units. No business will want to locate there to serve only a few hundred units. It is important to create the necessary population mass and thereby create a demand for services. Otherwise, there is the risk of many empty storefronts. Council has observed that in other locations in the City.

Vice Mayor Gerber requested that Ms. Grigsby provide the earlier staff memo on this topic, as she suggested. Perhaps Council can re-state those points as direction for the Commission.

Ms. Chinnici-Zuercher noted that is the same way that Columbus approached the issue. Columbus now has a significant amount of residential development and a high level of street change. As a result, more restaurants and small retail businesses are returning to areas previously vacated. Some developers and businesses have indicated to Council that the people are needed first to support the businesses. It is a timing issue. Although it may appear that only apartments are being built, in a couple of years, restaurants and small retail businesses will come forward.

Ms. Salay stated that some discussion about the anticipated evolution of the District over five – ten years would be beneficial, understanding that this is a 30-year vision for the District.

There will be a second reading/public hearing at the December 8 Council meeting.

**Ordinance 117-14**

**Authorizing the Provision of Certain Incentives to Exact Holding North America, Inc. to Induce it to Locate an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.**

Ms. Salay introduced the ordinance.

Ms. Gilger stated that staff has been working with Columbus 2020, Jobs Ohio and Exact Holding North America. This is a software development and technology company, which is based in The Netherlands with six domestic locations in the United States. Staff is proposing a \$10,000 location grant and a four-year, ten percent performance incentive that would be tied to a seven-year lease. That incentive would be capped at \$74,000. It is estimated that the City would net approximately \$1.2 million over the seven-year term of that lease. The company would begin with 100 employees and grow to 115 employees by 2018. Company representatives will be

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present at the second reading of this ordinance to respond to specific location questions. There are several buildings being considered at this time.

Ms. Salay stated that the City is proposing a \$10,000 location grant. What will that \$10,000 achieve for the company?

Ms. Gilger responded that it is a way to advance some of the incentive on the front end, which will help them to set up their operations in Dublin, including providing the necessary space with furniture and technology wiring for 100 employees.

There will be a second reading/public hearing at the December 8 Council meeting.

**RESOLUTIONS/INTRODUCTION/VOTE**

**Resolution 90-14**

**Waiving Competitive Bidding Requirements, Pursuant to Section 8.04 ("Contracting Procedures), Paragraph (C) ("Waiver of Competitive Bidding") for the Construction of Certain Fiber Optic Routes, and Authorizing the City Manager to Enter into a Contract with Columbus Fibernet.**

Ms. Salay introduced the resolution.

Ms. Gilger stated that funding was approved in the 2014-2018 capital budget for the deployment of the City's 100-gigabit fiber optic backbone. This deployment will differentiate the City's optical fiber network from others. This ordinance will approve the architecture necessary to over-build certain portions of the City's existing backbone as it is depicted in the maps included with the staff memo. This overbuild will provide additional optical fiber capacity, giving the City the necessary fiber to deploy the 100 gigabit capability through DubLink. In recent months, Council approved Resolution 85-14, which authorized the allocation of extra capacity fiber to OARnet and other areas of the DubLink system. That action saved the City \$360,000 in equipment costs, as OARnet has agreed to provide equipment in exchange for some of the optical fiber. The combination of the overbuild and the equipment will enable the City to light up the 100-gigabit backbone within key office parks and provide a new research and education backbone. This build requires the extension of the City's optical fiber within the same conduit system as the City's existing DubLink fiber. Because the Fishel Company built and provides ongoing maintenance of the DubLink optical fiber and conduit system, it is in the best interests of the City to have them construct this build. Allowing someone else to overbuild within the same conduit is risky, and should something go wrong, Fishel is better able to respond to any disruptions or resulting damages. The cost per linear foot to overbuild this fiber is consistent with the market.

Vice Mayor Gerber noted that it is very interesting to see how this project has evolved since the late 1990s. He served on the Community Services Advisory Commission at the time Mr. McDaniel first proposed the innovative concept.

Ms. Gilger responded that staff anticipates this will bring a competitive advantage to some of the City's aging building stock.

Vote on the Resolution: Ms. Salay, yes; Mr. Lecklider, yes; Vice Mayor Gerber, yes; Mr. Peterson, yes; Ms. Chinnici-Zuercher, yes.

**OTHER**

- Discussion regarding Proposed Riverside Drive/Future John Shields Parkway Pedestrian Tunnel

Ms. Grigsby stated that in response to recent questions, a packet of information was distributed to Council on Friday regarding the potential pedestrian underpass at the future John Shields/Riverside Drive intersection. Although previous discussions with Council regarding the underpass have occurred, Council has not yet selected one of the options for the underpass and given staff direction to proceed. Staff worked with



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MKSK and they had provided information on the potential underpass as well as anticipated impacts on the greenway. A description of the three options MKSK prepared were included in Council's packet – two options included an underpass; the third option did not. Consultant Mandy Bishop and Darren Meyer, MKSK, are present to provide additional information or respond to questions.

Darren Meyer, MKSK, presented slides of an overview plan that shows the street network for the Bridge Street District. John Shields Parkway is an east-west street proposed through the District with a planned greenway on the southern side of the road. That greenway gives an opportunity to look at where a pedestrian tunnel might be located under Riverside Drive. The original goal of the tunnel was an alternative to cross Riverside Drive and a connection of east and west development through Riverside Park. The reason the greenway along John Shield Parkway provides that opportunity is that the tunnel is 14-15 feet below street grade in order to provide clear head height and allow the necessary road cover over it. To provide that 14-15 feet, a ramp or stairway is necessary. The greenway provides the real estate to accomplish that.

### Three Underpass Options:

At this stage of plan development, there are three likely options. Option A is currently being developed in the plans.

1. Option A advances the underpass and entryway system as currently designed in the 60% submittal, with full accessibility compliance and extensive east side ramping systems;
2. Option B would advance the underpass but re-design the entryway system on the east side with a far less obtrusive entry system – a stairway rather than ramp, within the Greenway. Less greenspace is required with this alternative.
3. Option C would remove the pedestrian underpass completely from the project, which provides more flexibility in how this corner is addressed in terms of site design and architecture.

Ms. Salay stated that Council has debated tunnel options over the last several years and has built several at the request of neighborhoods. There is one near her home, which is seldom used as people cross the road at grade. That is a suburban environment, however; in this location, a great deal of activity is anticipated on the street. On one hand, she cannot picture people using a tunnel; on the other hand, it may be a more comfortable crossing for pedestrians and cyclists.

Mr. Meyer responded that issue has been discussed rigorously with staff. In Dublin, there is history and a perception that pedestrian tunnels add value as they help pedestrians to cross busy roadways. They are looking ahead to the environment that is planned for this intersection, and that environment is much closer to what is seen in downtown Columbus than it is to Dublin's current suburban examples of tunnels. One example is Northbank Park in Columbus, which is adjacent to the Arena District. People who want to move from the Arena District to Northbank Park cross five lanes of Spring Street and five lanes of Long Street to access that park. Pedestrians must cross five lanes of Third Street to access Columbus Commons; at Broad Street, 6,000 pedestrians cross eight lines every day. It is not just a function of the number of lanes. When a great urban environment is constructed with amenities on either side of the road, and the intersection is properly designed from an engineering, functional, safety and aesthetic standpoint, it will serve the needs to cross the roadway.

Ms. Salay inquired if it would be controlled by a traffic light.

Mr. Meyer responded affirmatively.

Mr. Peterson inquired about the location of the pedestrian exit on this side.

Mr. Meyer responded that it would be further to the south where Bridge Park Avenue intersects -- the next signalized section to the south of this point.

Ms. Salay stated that when Council originally began to discuss a pedestrian tunnel, perhaps they were not transitioned in the thought process to what this roadway will

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ultimately be. Riverside Drive will still function as a major north-south roadway, heavily travelled and not limited to destination traffic. The intent is to slow the traffic through this area. How will that be accomplished to ensure safe crossing for pedestrians?

Mr. Meyer stated that the effort to control traffic speeds and volume relates primarily to the street perception. Brick materials will be used in the crosswalks as a visual cue to motorists that it is a pedestrian environment, and mature street trees and landscape will help create the perception of a City street rather than an arterial street. There will also be the opportunity for on-street parking on Riverside Drive, which will be the most effective tool to calm traffic. The maneuvering of vehicles in/out of parking spaces and the visual aspect of people entering/exiting vehicles will minimize traffic speeds and motorists' behavior through this area.

Ms. Salay inquired if a grade change for southbound Riverside Drive is still contemplated. Mr. Meyer responded that it is not planned for this intersection; however, at the next signalized intersection with Bridge Park, the southbound lanes will dip and then lift again. Ms. Salay inquired if there would be an opportunity for pedestrian refuge in the middle. Mr. Meyer responded that opportunity is precluded by turning movements that would potentially clip the ends of that area.

Ms. Grigsby stated that a concern has been the southbound through traffic on Riverside Drive. The northbound traffic will be in a more urban area, and it will appear easier to cross there than at John Shields. However, consideration was not given to on-street parking north of John Shields; perhaps if that is also added north of John Shields, it would slow the traffic in that location.

Ms. Salay asked if the parking would be primarily for people using the park.

Mr. Meyer responded affirmatively.

Ms. Salay asked if that would reduce the travel lanes or be an addition to the roadway.

Mr. Meyer responded that it would be in addition to the roadway.

Mr. Lecklider stated that in his view, this would be distinct from the City's more traditional neighborhood tunnels. The success of those tunnels has been mixed. He considers this area as something different. It is difficult to imagine a future Riverside Drive street environment because of what exists today, particularly the speed of the traffic in this location. Hopefully, the measures being taken will affect driver behavior. There will still be a certain number of people, however, that will be more comfortable using a pedestrian tunnel as opposed to an at-grade crossing. He is concerned that the desired street level vitality be maintained. Hopefully, there will be sufficient vitality that a pedestrian tunnel would not detract from it. The obvious consideration is that it is impossible to add a pedestrian tunnel retroactively, and therefore, the decision must be made now. The cost of the tunnel is considerably less than he had anticipated, given the number of traffic lanes involved. If Council were to approve a tunnel, he favors Option B.

Mr. Peterson requested clarification of the different costs -- \$400,000 for Option B and \$613,000 for Option A -- is that related to the ramp configuration?

Mr. Meyer responded that \$400,000 is the cost for the tunnel to go under the road in both Option A and Option B. The cost of \$613,000 is for the tunnel entrance in Option A, which includes both ramp and stairs. Option B would be less, as it would include only a stairway entrance to the tunnel.

Mr. Peterson stated that if Option A would be a total of \$1 million, what is the cost of Option B?

Mandy Bishop, Bridge Street District Program Management Consultant, responded that the stair cost in Option B would be approximately \$50,000 - \$60,000.

Mr. Peterson stated that amount would then be added to the base price of \$400,000 for the tunnel.

Ms. Chinnici-Zuercher requested clarification of the total cost of Option B.

Ms. Bishop responded that it would be approximately \$460,000.

Vice Mayor Gerber inquired the total cost for each option.

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Ms. Grigsby responded that Option A would be \$1 million. Option B would be \$460,000 - \$470,000.

Ms. Chinnici-Zuercher stated that there is a significant difference in the costs for Option A and Option B, which reflect different ways in which to enter the tunnel.

Ms. Salay noted that Option A is ADA accessible.

Mr. Meyer stated that there is an ADA accessible route at street grade for either option. The ramp in Option A is a positive redundancy, but still a redundancy.

Ms. Salay asked for the length of the tunnel.

Mr. Meyer responded that it would be 145-150 feet.

Ms. Salay asked for a comparison to other City pedestrian tunnels.

Mr. Meyer responded that the tunnel at Woerner-Temple and Avery Road is approximately 160-170 feet.

Mr. Peterson asked if only the people accessing the park would use this tunnel, or is it close enough to the pedestrian bridge for the pedestrian to use both. Is it too far to walk from one to the other?

Mr. Meyer responded that is one potential scenario. A person living in this portion of the District could access the Historic District in this manner – by walking through the tunnel, through the park, and across the pedestrian bridge.

Mr. Peterson asked if their sense is that it would be a long walk.

Mr. Meyer responded that it is actually a walk that they hope and expect people to make.

Mr. Lecklider stated that part of his consideration is the lack of assurance of the future character of Riverside Drive -- he realizes what it is hoped to be. It is also a matter of pedestrian perspective of their safety crossing at grade versus below grade. For him, the price makes it a consideration, as he had anticipated it to be significantly more expensive,

Vice Mayor Gerber asked if they are studying on-street parking for Riverside Drive.

Mr. Meyer responded affirmatively.

Vice Mayor Gerber inquired if drawings are available.

Mr. Meyer pointed out an area in a visual provided where the beginning of on-street parking can be seen at the side.

Mr. Gerber stated that he would like to have a larger depiction of the area in which this is anticipated on Riverside Drive; it is a critical piece of the plan. There are also two Council members absent tonight.

Ms. Salay noted that staff has indicated that they would like to have a prompt decision on the pedestrian tunnel.

Ms. Grigsby responded that it would be three weeks until the next Council meeting. She is not certain if that would result in a three-week delay for the project. It may depend on which option is selected. If Option A, which is currently being designed, is selected, it may not cause a delay; however, if there is a change, it may impact the current time schedule.

Ms. Chinnici-Zuercher stated that she is prepared to vote tonight. She is not in favor of the tunnel for a number of reasons. She believes the pedestrian crossing at grade can be made to feel safer through landscaping, brick materials, and roadway appearance. Although it may seem to be a large intersection for Dublin, there are many others throughout the world that do not have tunnels for pedestrian crossing. They are managed through landscaping and other methods to achieve pedestrian safety. Council discussed the same issue with the SR 161/Bridge Street area, but, to date, nothing significant has been done in response. Yet, she observes large numbers of people walking at grade level in that area. She is comfortable with the at-grade crossing, provided there is assurance that landscaping and other methodologies will be used to slow the traffic. Another consideration is that Riverside Drive is being relocated, which will change what is currently envisioned in the area.

Ms. Salay stated that she agrees with Mr. Gerber in that Council's ability to visualize the future character of Riverside Drive with these changes may be a challenge. The current view of Riverside Drive is one with fast and heavy traffic. It is difficult to imagine it



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functioning differently. However, she is inclined to agree with Ms. Chinnici-Zuercher in terms of having assurance that a fundamental character change and slowing the roadway will achieve pedestrian safety and comfort.

Mr. Peterson stated that he is struggling between Options B and C; he does not believe the cost of Option A is justified.

Mr. Gerber concurred that Option A does not seem necessary. The City has been working to create a walkable environment, so he is inclined toward Option C in that regard. On the other hand, even though some changes will be made in Riverside Drive, it also makes sense to have a tunnel. He realizes that it may disappoint some people if Council does not vote on this tonight, but two members of Council are not present, and this is a major project. He believes all seven members should be present to vote on this project.

Mr. Lecklider stated that personally, he would likely use an at-grade crossing. That is the part of the environment that he wants to experience, but he is trying to imagine other perspectives.

Ms. Grigsby stated there was much discussion at staff level as well. Staff shares the same view that Option A is unnecessary. The Option B underpass was considered because concerns have been expressed by residents in regard to crossing Riverside Drive. This was an option, which would provide pedestrian access to people who are not comfortable crossing otherwise. The debate is that the goal is to create a walkable environment, and if the elements are implemented to create this environment, it should be possible to achieve this goal. It will not be reasonable to retrofit at a future date for a pedestrian tunnel, due to the expense. Therefore, the decision needs to be made at this point in the process.

Some believe a tunnel is not necessary. The addition of onstreet parking north of John Shields made some people feel more comfortable with that position, because a primary concern expressed is with the southbound traffic and at what point that traffic would begin to slow upon entering the Bridge Street District.

Mr. Lecklider stated that when entering Columbus, he often drives the roadway near Long Street at North Bank Park. It occurs to him that perhaps the utilization of those parking spaces depends upon the time of day. Pedestrian perception of crossing safely may vary depending upon the time of day. It may be different on a weekend versus morning or evening rush hour.

Mr. Peterson asked if there would be steps at Riverside Drive for both Options B and C. Mr. Meyer responded that when the park is developed, for both Options B and C, in crossing the roadway at grade there will be both ramp and stair accessibility from the street to the park.

Mr. Lecklider noted that when traveling from the west to the east, some people may feel it is a more natural route to go through that tunnel due to the grade change. In respect to seeing a bigger picture, it might also be helpful to see what will exist between Riverside Drive west to the river, and to the other side of the river, including the pedestrian bridge.

Ms. Chinnici-Zuercher stated that there is one piece of information that is needed but not available tonight, and that hinders Council's ability to vote on the matter tonight – the context depiction of this area.

Ms. Grigsby responded that staff will provide a higher view of the area to show where the connections are made and what it may look like with parking and greenspace.

Ms. Salay stated that it would be helpful to see how future roadway intersections will be controlled – stop signs, traffic lights, etc.

Mr. Lecklider asked if there would be dedicated left turn lanes.

Mr. Meyer stated that where future John Shields Parkway bridge will cross in the future, there will a dedicated left-turn lane heading north on Riverside Drive.

Mr. Lecklider inquired to what extent that will affect pedestrian crossing.

Mr. Meyer responded that the dedicated left turn is a benefit. When there are not dedicated left turns, motorists try to move through a light on yellow, past oncoming traffic. Dedicated left turns are a positive in terms of the expectations of pedestrians and

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motorists.

Ms. Grigsby stated that the additional information requested will be provided for the December 8 meeting.

## STAFF COMMENTS

Ms. Grigsby:

1. Stated that a memo was provided in the packet regarding the Grounds of Remembrance. Samples of the paver as well as the path material were provided. Both Mr. Reiner and Mayor Keenan have expressed interest in this matter, so a decision from Council at the next meeting is fine.

Vice Mayor Gerber asked about the signage along Dublin Road, and whether it can also be included in the maintenance. It is difficult to read, due to the weathering.

Ms. Grigsby stated that staff will review this as well and Council can consider the recommendations at the December 8 meeting.

2. Stated that a memo was also provided regarding The Villages at Coffman Park Condominium Association.

Ms. Salay inquired if that matter could be deferred for discussion to the December 8 meeting, as the HOA president was not able to present this evening.

Ms. Chinnici-Zuercher inquired if the association would also provide more information for that meeting.

Ms. Salay responded that they simply wanted to be present when the discussion occurred.

Ms. Chinnici-Zuercher stated that deferring discussion until the next meeting is fine. However, she would like clarification about the City's criteria for taking over the responsibility for HOA maintenance when an HOA does not have adequate revenue to do so. What prevents all of the associations in the City from requesting the same due to increased costs or reduced revenue?

Ms. Grigsby responded that Council reviewed this issue a few years ago and established a policy that was partially based upon whether the fees for the overall development were determined to be fair. In this case, staff believes the fees established for the overall development were fair. However, the issue for the Villages at Coffman Park is that there are only 11 of the anticipated 66 property owners living there, which presents a financial hardship for the current 11 residents. This situation could occur with other developments, as well, due to the pace of selling the units or in foreclosures. This is a concern because there are many areas within the City that are maintained by HOAs, and changing the policy would result in additional costs for the City.

Ms. Salay stated that one issue for this case is the extremely high cost per unit. When Council has previously provided relief, staff had considered what constitutes a fair amount for HOA fees. If the association was paying a greater amount, relative to the number of individuals in the HOA, the City has provided relief. That fair amount per month was determined to be \$150 - \$200. In this case, the monthly Association dues are \$375.00. The cost associated with mowing City land is \$768/year per unit, which seems significantly more than any other HOA is paying. This is a unique situation in terms of the costs and number of homes. The Association anticipates being in a better position in the future when the development is fully occupied and does not expect to receive relief in perpetuity.

Vice Mayor Keenan would also like to see defined criteria regarding those items Council will consider and those it will not consider.

Ms. Grigsby stated that many years ago, Council discussed such criteria. Staff had provided that background information to Council.

Ms. Chinnici-Zuercher stated that recently, she has had some conversations with other condominium residents, and she believes the amounts used to determine the previous policy need to be updated. The amount of \$375 per unit is not uncommon; the HOA fee is typically \$250 and up.

Ms. Salay stated that the question is whether it is public or private land the HOA is maintaining.

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Ms. Grigsby stated that the reserves were established in the City's name, as the City can file for tax exemption so there are no property taxes on the reserves. Therefore, in many cases, the reserves are in the name of the City but are maintained by the HOA.

Vice Mayor Gerber stated that perhaps a Council committee should review this matter, as was done a few years ago.

This matter will be scheduled for consideration at an upcoming Council meeting.

## COUNCIL COMMITTEE REPORTS

Ms. Salay, Council representative to the Planning and Zoning Commission reported that at their last meeting, the Commission heard the Riviera case. There was an overflow crowd for that meeting. The Commission had a number of concerns and voted to table the application. Some of PZC's concerns related to the Community Plan, architectural layout, size of lots, density and tree protection. The developer is now reviewing his application for next steps.

Ms. Chinnici-Zuercher, Finance Committee Chair stated that there was a follow-up memo distributed tonight regarding questions Council had raised at the November 12 budget workshop. The 2015 operating budget is scheduled for second reading/public hearing at the December 8 Council meeting. One of the primary changes in the budget for 2015 is additional staffing. The City has been very conservative over the last five to eight years in terms of adding new positions, and some unfilled positions no longer needed have been eliminated. She suggests that tonight, Council approve or disapprove the new positions requested so that the draft budget can be amended appropriately for consideration on December 8.

Mr. Lecklider stated that throughout the budget documents, there was reference to pre-2009 staffing. Due to the recession that occurred, the City had adopted a more conservative approach to staffing additions. However, that does not necessarily imply that the 2007 staffing level is the benchmark to measure staffing levels today. The need may have changed within a department because conditions have changed.

Vice Mayor Gerber stated that he serves on the Finance Committee, yet this is the first he has heard of this request to discuss staffing. The Committee of the Whole met in two workshops and reviewed every department's requests.

Ms. Chinnici-Zuercher responded that at the first budget workshop when personnel requests were being reviewed, she emphasized that Council was not approving the staffing requests, but instead would considering the requests as a whole.

Vice Mayor Gerber stated that he did not hear any Council member object to any of the staffing requests.

Mr. Peterson asked if Council denies a department's request for additional positions, wouldn't that change the budget that Council would consider at the next meeting?

Ms. Chinnici-Zuercher responded affirmatively. Staff would need to prepare a revised budget, minus those requested positions, for consideration on December 8.

Mr. Gerber noted that if Council did not support the requested positions, he would have expected discussion of that issue at the budget workshops. The discussion could have taken place with the department head in that setting. He is not comfortable "second guessing" the numbers independent of all of that information and discussion.

Ms. Grigsby stated that the 2015 operating budget actually has three less full-time positions than the City had in 2006. When positions are vacated, they are not automatically filled; staff evaluates the need for the position. For example, after the new Public Service Director was in place, she evaluated the positions needed and made several changes within the work unit. The net effect, however, was no additional full-time staff. Personnel is one of the City's greatest expenses, and adding new positions to the budget is considered very carefully at the administrative level.



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Mr. Lecklider stated that it is a question of process. He clearly recalls Ms. Chinnici-Zuercher's comment with respect to reserving the right to make some different recommendations on staffing at the conclusion of the budget review process. He is not certain if Council should have done something differently at the final budget hearing; however, he anticipated there would be some opportunity for Council comment on the matter without it constituting approval or disapproval of the entire budget. However, during those hearings, he believes his comments related to the various requests were fairly direct.

Ms. Grigsby added that there were positions requested by different departments/divisions that the Administration did not include in the recommendations proposed to Council. Administration reviews those requests before any are brought to Council. Then Council also has the opportunity to evaluate and determine whether or not they agree with the staff recommendations. The Administration believes that it has developed a responsible budget that addresses the needs of the City and the staffing needed to provide those services.

Mr. Lecklider stated that he is not suggesting that staff did not approach this carefully, thoughtfully and conservatively, as it always has. However, what is the need for Council to hear all of the presentations, if what is expected is, in essence, a *fait accompli* approval?

Ms. Grigsby agreed and that is the reason, when the issue arose, that she asked Ms. Chinnici-Zuercher to suggest discussion take place tonight. This would allow any necessary revisions to be made to the budget prior to the December 8 meeting, when it is scheduled for adoption. Once Council direction is received on this matter, any changes will be incorporated in the final budget document for consideration and approval on December 8.

Vice Mayor Gerber stated that for Council members who were not prepared to discuss this tonight, he assumes that different direction regarding the budget can be given at the December 8 meeting, as well.

Ms. Grigsby responded that Council can do that, and at any point in the year, adjustments to the budget can be made.

Vice Mayor Gerber reiterated that he assumed any issues with the budget requests would have been discussed during the budget workshops when all seven Council members were present. Two Council members are not present tonight.

Ms. Chinnici-Zuercher stated that perhaps at the end of the second budget hearing, Council members should have reviewed the list of requested personnel positions and approved or disapproved them, but that did not occur. At this point, the discussion can be deferred to the final budget consideration on December 8.

Mr. Lecklider commented that he missed a meeting in September, and perhaps he would have preferred that certain votes not be taken in his absence. What are the considerations for when Council does or does not vote in another Council member's absence?

Vice Mayor Gerber stated that is the reason that an unexpected vote related to the operating budget -- one of the most important duties of Council -- should not take place when two Council members are not present. In the interest of fairness and full representation, this should be considered by all members of Council.

Ms. Grigsby stated that at this point, staff will prepare the budget document as it has already been presented and reviewed. On December 8, if there are adjustments resulting from Council's discussion, staff would subsequently bring back those adjustments to Council through an amended appropriations request.

Mr. Peterson, Board of Education Liaison, reported that he met recently with Superintendent Dr. Hoadley and had a good discussion; however, there is nothing significant to report.

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Marilee Chinnici-Zuercher stated that in light of Vice Mayor Gerber's comment regarding votes taken when a Council member is absent, she would like to suggest that in the agenda review process for each meeting, a determination is made regarding which items will not be voted on because members will not be present. Council has not previously had a policy on this matter, but if this will be the new policy, it will be fair for each Council member who needs to be absent from a meeting to request an action not be taken in their absence.

Vice Mayor Gerber stated that he is not attempting to create a new policy, only to state that something as important as a budget should be voted on by all Council members.

Ms. Salay stated that staff has indicated that they would like to have a vote on this, and she believes Council needs to provide that vote. There was a similar discussion at a Planning Commission meeting where a couple of Commission members wanted PZC meetings to be moved, because they knew that their personal schedule would conflict. However, if a public body has a quorum present, they can take action on whatever business is brought before them at that meeting. The operating budget is a different situation than Council has encountered previously because of the request for several new positions. She would be in favor of voting tonight to provide clarity to staff so they can prepare the final budget for Council approval on December 8.

Mr. Gerber requested procedural clarification. If Council members present tonight make a decision regarding the requested positions, could the budget be amended on December 8 when all members are present – if there is further discussion?

Ms. Grigsby responded that staff's concern is having a final document that is accurate. Once that document is prepared and presented to Council, making changes is much more difficult and a duplication of work. That is the only reason staff was attempting to have clarification tonight, if possible. However, the document will be prepared as it is and staff will be prepared for a subsequent review and any adjustments on December 8.

Mr. Lecklider noted that there are different scenarios regarding actions taken when members are not present. For instance, some Council members review and approve a budget in November or December of the year in which their term ends. He agrees that the budget is an important consideration, but each Council member could identify various agenda items on which they would prefer that a vote not be taken in their absence.

## COUNCIL ROUNDTABLE

### Mr. Peterson:

1. Asked about the timing of the clearing of the Wallace tract, which is intended to take two weeks to complete.

Mr. Hahn responded that once the staging work is done, the clearing of the tract is not a long process.

Ms. Grigsby stated that the memo was intended to inform Council of this plan, which will move forward unless there is different direction or feedback from Council.

Mr. Peterson responded that, hopefully, this will address some issues.

Ms. Grigsby agreed. It will prepare the site for future development.

2. Inquired when the sewer/water extensions to unserved areas will be considered by Council.

Ms. Grigsby responded that a timeframe for that consideration needs to be identified. Perhaps it can be scheduled for discussion in January.

Mr. Peterson noted that he finds the color coding on the map helpful. Is this map provided on the City's website?

Ms. Grigsby responded that if not, it can be added.

Mr. Peterson stated that he planned to send a copy to residents who have asked him about the issue. It would be helpful to direct them to the website.

Ms. Grigsby responded that staff will update it, if needed, then post it at the website.

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Vice Mayor Gerber reminded Council of the Leadership Briefing tomorrow at 7:45 a.m. at the Crown Plaza, where an update on the I-270/US 33 interchange will be provided.

## ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

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Mayor – Presiding Officer

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Clerk of Council